

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ESTER LORUSSO,

Plaintiff,

-against-

ALITALIA–LINEE AEREE ITALIANE SpA,

Defendant.

Case No. 07 CV 3583 (LBS)(RLE)

DECLARATION OF ALAN M. KORAL

ALAN M. KORAL hereby declares under penalties of perjury pursuant to 28 U.S.C. §1746 as follows:

1. I am a member of the Bar of this Court and am a shareholder of Vedder Price P.C., attorneys for defendant Alitalia–Linee Aeree Italiane SpA (“Defendant” or “Alitalia”). I submit this Declaration in support of Defendant’s motion for summary judgment dismissing the Complaint by Ester Lorusso in the above captioned consolidated action. I am fully familiar with the facts and circumstances set forth herein.

2. The points and authorities in support of Defendant’s motion for summary judgment dismissing the Complaint are set forth in full in the accompanying Memorandum of Law and will not be repeated here. The purpose of this Declaration is to place before the Court documents that are referred to in that Memorandum of Law and in the accompanying Statement of Uncontested Material Facts supporting this motion.

3. Annexed as Exhibit A hereto are copies in minuscule form of all pages of the December 19, 2007 deposition of Ester Lorusso referenced in the accompanying filings in support of Defendant’s motion for summary judgment;

4. Annexed as Exhibit B hereto are copies in minuscrit form of all pages of the January 21, 2008 deposition of Giulio Libutti referenced in the accompanying filings in support of Defendant's motion for summary judgment;

5. Annexed as Exhibit C hereto are copies of all pages of the January 15, 2008 deposition of Andrea Porru referenced in the accompanying filings in support of Defendant's motion for summary judgment;

6. Annexed as Exhibit D hereto are copies in minuscrit form of all pages of the January 22, 2008 deposition of Giulio Libutti referenced in the accompanying filings in support of Defendant's motion for summary judgment;

7. Annexed as Exhibit E hereto are copies of all pages of the January 28, 2008 deposition of Pierandrea Galli referenced in the accompanying filings in support of Defendant's motion for summary judgment;

8. Annexed as Exhibit F hereto are copies of all pages of the January 8, 2008 deposition of Angela Ross referenced in the accompanying filings in support of Defendant's motion for summary judgment;

9. Annexed as Exhibit G hereto is a copy of an e-mail from Giulio Libutti to Andrea Porru, dated November 9, 2006;

10. Annexed as Exhibit H hereto are copies in minuscrit form of all pages of the January 7, 2008 deposition of Francesco Gallo referenced in the accompanying filings in support of Defendant's motion for summary judgment;

11. Annexed as Exhibit I hereto is a copy of an e-mail from Ester Lorusso to Andrea Sciarresi, dated August 24, 2004;

12. Annexed as Exhibit J hereto is a copy of an e-mail from Ester Lorusso to Andrea Sciarresi, dated September 1, 2004;

13. Annexed as Exhibit K hereto is a copy of a letter from Andrea Sciarresi and Giulio Libutti to Ester Lorusso, dated October 13, 2004;

14. Annexed as Exhibit L hereto are copies in minuscrit form of all pages of the January 11, 2008 deposition of Francesco Gallo referenced in the accompanying filings in support of Defendant's motion for summary judgment;

15. Annexed as Exhibit M hereto is a copy of an e-mail from Ester Lorusso to Giulio Libutti and Francesco Gallo, dated September 16, 2004;

16. Annexed as Exhibit N hereto is a copy of a letter from Giulio Libutti and Francesco Gallo to Ester Lorusso, dated September 17, 2004;

17. Annexed as Exhibit O hereto is a copy of an e-mail from Ester Lorusso to Giulio Libutti and Francesco Gallo, dated September 19, 2004;

18. Annexed as Exhibit P hereto is a copy of a memorandum to the file prepared by Stephanie DiClemente and dated September 2, 2004;

19. Annexed as Exhibit Q hereto is a copy of a memorandum to the file prepared by Stephanie DiClemente and dated October 25, 2004;

20. Annexed as Exhibit R hereto is a copy of a memorandum to Leopoldo Conforti, signed by Giulio Libutti, Francesco Gallo and Marco Marchese dated July 6, 2004, with accompanying fax cover sheet, and a certified translation of same;

21. Annexed as Exhibit S hereto is a copy of a memorandum to G. Cimoli, signed by Pierandrea Galli and Leopoldo Conforti, dated September 19, 2005, and a certified translation of same;

22. Annexed as Exhibit T hereto is a copy of the 2005 Alitalia USA Voluntary Early Retirement Plan Plan Document and Summary Plan Description;

23. Annexed as Exhibit U hereto is a copy of an e-mail chain composed of an e-mail from Ester Lorusso to Walter Longo, copying Andrea Porru, dated September 27, 2006 and an e-mail from Andrea Porru to Ester Lorusso, copying Walter Longo, dated October 11, 2006;

24. Annexed as Exhibit V hereto is a copy of an e-mail chain including an e-mail from Andrea Porru to Walter Longo, copying Luca Bruni, dated October 30, 2006 and an e-mail from Walter Longo to Andrea Porru, copying Luca Bruni, dated November 9, 2006;

25. Annexed as Exhibit W hereto is a copy of an e-mail chain composed of an e-mail from Ester Lorusso to Andrea Porru, copying Walter Longo and Thierry Aucoc, dated November 6, 2006 and an e-mail from Andrea Porru to Ester Lorusso, copying Walter Longo and Thierry Aucoc, dated November 7, 2006;

26. Annexed as Exhibit X hereto is a copy of an e-mail chain including an e-mail from Andrea Porru to Walter Longo, copying Luca Bruni, dated November 7, 2006 and an e-mail from Walter Longo to Andrea Porru, copying Luca Bruni, dated November 10, 2006;

27. Annexed as Exhibit Y hereto is a copy of an e-mail chain composed of (1) an e-mail from Marco D'Ilario to Anna Maria Sinibaldi, Luca Bruni and Andrea Porru, copying various individuals, dated December 13, 2006 and (2) an e-mail from Marco D'Ilario to Andrea Porru and Michelle DiFeo, copying various individuals, dated January 4, 2007, and a certified translation of same;

28. Annexed as Exhibit Z hereto is a copy of a letter from Andrea Porru to Ester Lorusso, dated January 18, 2007;

29. Annexed as Exhibit AA hereto is a copy of Defendant's Verified Response to Plaintiff's Second Set of Interrogatories, dated April 21, 2008.

30. I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York
April 28, 2008

s/ Alan M. Koral
Alan M. Koral (AK-1503)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ESTER LORUSSO,

Plaintiff,

-against-

ALITALIA-LINEE AEREE ITALIANE SpA,

Defendant.

Case No. 07 CV 3583 (LBS)(RLE)

CERTIFICATE OF SERVICE

I, Daniel Green, hereby declare, pursuant to 28 U.S.C. 1746, under penalty of perjury, that on April 28, 2008, I caused a copy of the **DECLARATION OF ALAN M. KORAL** to be served upon Plaintiff by electronically filing same, thereby ensuring that Plaintiff's attorney, Robert Ottinger, Esq. of The Ottinger Firm, P.C., received same because he is a registered e-filer and registered to receive e-notices in this case.

DATED: April 28, 2008

s/ Daniel C. Green
Daniel C. Green